

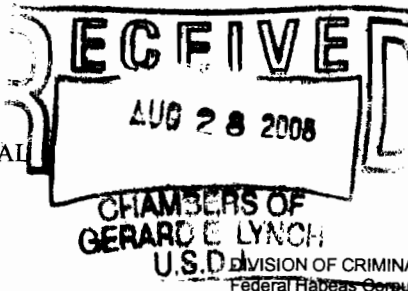
MEMO ENDORSED



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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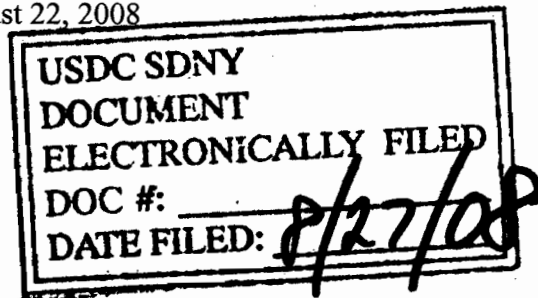
ANDREW M. CUOMO
Attorney General



August 22, 2008

BY UNITED STATES MAIL

Honorable Gerard E. Lynch
United States District Judge
Southern District of New York
500 Pearl Street, Room 910
New York, New York 10007



Re: Joshua Liner v. Supt. Dale Artus, et al.
08 Civ. 5886 (GEL)

Your Honor:

I am an Assistant Attorney General in the office of Andrew M. Cuomo, Attorney General of the State of New York, attorney for respondent in the above-referenced matter.

By order dated July 21, 2008, Your Honor directed respondents to file their response to the habeas corpus petition by August 29, 2008. Upon receipt of the order, our office immediately requested all of the relevant state court records and transcripts from the New York County District Attorney's Office and the New York County Supreme Court. While I have received the state court appellate records, I have yet to receive any of the transcripts, including the pre-trial, trial, and sentencing transcripts. Our office has made a follow-up request for the transcripts, but I do not anticipate receiving them in time to review them and draft a complete response to the habeas petition.

Therefore, I respectfully request a 45-day extension of time, until October 13, 2008, so that I can obtain the state court transcripts prior to filing our response to the petition. I have not sought any previous extensions in this case.]*

I have not contacted petitioner concerning this request as he is proceeding *pro se* and is incarcerated. Thank you for your consideration.

*SO ORDERED

GERARD E. LYNCH, U.S.D.J.
8/26/08

Respectfully submitted,

Ashlyn H. Dannelly
Assistant Attorney General
Habeas Corpus Section
(212) 416-8624

cc (by U.S. Mail): Joshua Liner
04-A-4086
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